

REMARKS

This application has been carefully reviewed in light of the Final Office Action mailed April 27, 2004 ("Office Action"). At the time of the Office Action, Claims 10-19 and 25-37 were pending in the application and the Examiner rejected all pending claims. Applicant notes with appreciation the Examiner's consideration of the Information Disclosure Statement submitted on February 19, 2004. Applicant has amended Claims 10, 25, and 34. Applicant respectfully requests reconsideration and favorable action of all pending claims in view of the following remarks.

Interview Summary

Applicant thanks the Examiner for conducting the telephone interview on July 13, 2004, and for the Examiner's thoughtful consideration of this case. During the telephone interview, Applicant and Examiner discussed the Claims with respect to the *Ketcham* reference. Specifically, Applicant and Examiner discussed alternative claim language, which is included among the claim amendments. Although no conclusion was reached regarding the patentability of Applicant's claims, Applicant understands that all of the pending claims, as recited in this Response to Office Action, are distinguishable over the cited references.

In the telephone interview, Applicant and Examiner also discussed the Examiner's rejection of Applicant's 35 U.S.C. § 112, paragraph 6 claim limitations in Claims 31-33. Specifically, Applicant and Examiner discussed the claims with respect to the *Ketcham* reference. Because the elements recited in *Ketcham* are not the equivalents of Applicant's 35 U.S.C. § 112, paragraph 6 claim limitations as explained in M.P.E.P. § 2183, Applicants understand that the rejection of Claims 31-33 is withdrawn.

Applicant respectfully requests reconsideration and favorable action in this case with respect to Independent Claims 10, 25, 31, and 34, and all claims depending from those claims.

Section 102 Rejections

The Examiner rejects Claims 10-12, 14-19, 25-29, and 31-33 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,075,860 issued to Ketcham ("*Ketcham*"). For the reasons discussed below, Applicant respectfully traverses these rejections.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); MPEP § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); MPEP § 2131 (*emphasis added*). Whether considered alone or in combination with any other cited references, *Ketcham* does not disclose, either expressly or inherently, each and every element of the claims.

For example, Applicant respectfully submits that *Ketcham* does not disclose, teach, or suggest "determining an identification key associated with the input device, the identification key uniquely identifying the input device," as recited in Applicant's amended Claim 10. Applicants submit that *Ketcham* merely discloses "an apparatus and method for authenticating an authorized user of a computer network which permits remote access" by the user over "a secure authenticated wireless communication channel." (Column 3, lines 8-15). "The authorized user when desiring to establish an encrypted authenticated wireless communication channel with the network server inserts or places the authentication card in a card reader which is operably coupled to the remote terminal. The remote terminal then queries the authentication card via the card reader to extract the mobile subscriber identifier and the corresponding authentication encryption key." (Column 3 line 65 through Column 4, line 4). In the Examiner's rejection of the claims, the Examiner indicates that the cooperation of the authentication card with the remote terminal as disclosed in *Ketcham* is the equivalent of Applicant's input device. Additionally, the Examiner indicates that the mobile subscriber identifier and corresponding authentication key are the equivalent of Applicant's identification key. However, *Ketcham* specifically discloses that the mobile subscriber identifier designates the authorized user and the authentication key is "unique to the authorized user." (Column 3, lines 16-21). *Ketcham* further discloses that "[t]he remote terminal, however, does not retain the mobile subscriber identifier nor the authentication encryption key. Instead, an authentication card personal to the authorized user is maintained by that authorized user." Accordingly, both the authentication key and the mobile subscriber identifier are used to identify the authorized user such that the communication channel can be established to allow the authorized user remote access to the network. Neither the authentication

key nor the mobile subscriber identifier are “associated with the input device” or “uniquely [identify] the input device,” as recited in Applicant’s amended Claim 10.

For similar reasons, Applicant believes independent Claim 25 is allowable over *Ketcham*. For example, *Ketcham* does not disclose, teach, or suggest “determining an identification key associated with the input device, the identification key uniquely identifying the input device,” as recited in amended independent Claim 25. Because both the authentication key and the mobile subscriber identifier disclosed in *Ketcham* are used to identify the authorized user, Applicant respectfully submits that *Ketcham* does not disclose, teach, or suggest the elements recited in Applicant’s Claim 25.

Regarding Claim 31, Applicant and Examiner discussed independent Claim 31 with respect to the *Ketcham* reference in the telephone interview conducted on July 13, 2004. Because the elements recited in *Ketcham* are not the equivalents of Applicant’s 35 U.S.C. § 112, paragraph 6 claim limitations as explained in M.P.E.P. § 2183, Applicants understand that the rejection of Claim 31 is withdrawn.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of independent Claims 10, 25, and 31, and all claims depending from those claims.

Section 103 Rejections

The Examiner rejects Claims 13 and 30 under 35 U.S.C. § 103(a) as being unpatentable over *Ketcham* in view of U.S. Patent No. 5,974,549 issued to Golan (“*Golan*”).

Since Claims 13 and 30 incorporate the limitations of their respective independent claims, which Applicant has shown above to be allowable, Claims 13 and 30 are allowable for at least this reason. Additionally, Claims 13 and 30 also recite additional limitations that are not disclosed, taught, or suggested in the prior art. Because Applicant has shown the independent claims to be allowable, Applicant has not provided detailed arguments with respect to Claims 13 and 30. However, Applicants remain ready to do so if it becomes appropriate.

For at least this reason, Applicant respectfully requests reconsideration and allowance of Claims 13 and 30.

The Examiner also rejects Claims 34-37 under 35 U.S.C. § 103(a) as being unpatentable over *Ketcham*. Independent Claim 34 recites logic operable to “determine an identification key

associated with the input device, the identification key uniquely identifying the input device.” Accordingly, for reasons similar to those discussed above with regard to Claim 10, Applicant believes independent Claim 34 is allowable over *Ketcham*. Because both the authentication key and the mobile subscriber identifier disclosed in *Ketcham* are used to identify the authorized user and neither are “associated with the input device” or “operable to uniquely [identify] the input device, Applicant respectfully submits that *Ketcham* does not disclose, teach, or suggest the elements recited in Applicants independent Claim 34.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of independent Claim 34, and all claims depending from Claim 34.

CONCLUSION

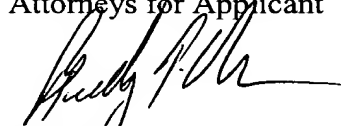
Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6447.

Applicant does not believe that any fees are due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Bradley P. Williams
Reg. No. 40,227

Date: 7/16/, 2004

Correspondence Address:

at Customer Number: **05073**